

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013

H

3

HOUSE BILL 267  
Committee Substitute Favorable 5/13/13  
Committee Substitute #2 Favorable 5/16/13

Short Title: Limit Tolling on Existing Interstates.

(Public)

Sponsors:

Referred to:

March 11, 2013

A BILL TO BE ENTITLED

AN ACT TO SPECIFY THE CONDITIONS UNDER WHICH THE TURNPIKE  
AUTHORITY MAY COLLECT TOLLS ON AN EXISTING INTERSTATE HIGHWAY.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 136-89.198 reads as rewritten:

"§ 136-89.198. Authority to toll existing interstate ~~highways.~~ highway capacity, requirement to maintain non-toll capacity.

(a) General. – ~~Notwithstanding any other provision of this Article, the~~ The Authority may collect tolls on ~~any existing interstate highway.~~ highway capacity, if all of the following conditions are met:

(1) ~~for which the~~ The United States Department of Transportation has granted permission by permit, or any other lawful means, to do so.

(2) The Authority continuously maintains at all times at least the same number of general purpose non-toll lanes on the affected segment that were available prior to imposition of any tolls. The Authority may authorize brief lane closures during reasonable periods of repair and maintenance of the non-toll lanes, but must maintain access to non-toll lanes at all times during the repair or maintenance.

(3) The revenue generated from the collected tolls shall be used by the Authority to increase capacity on, rebuild, repair and or maintain the interstate corridor on which the tolls were collected. ~~collected, including roads used for ingress or egress to the toll facility or roads that intersect with the toll facility whether by ramps or separated grade facility and located within one mile in any direction.~~ These revenues shall not be used to repair, maintain, or upgrade any other State primary or secondary road adjacent to or connected with the interstate highways.

(b) Method. – The Authority shall establish toll locations on the permitted interstate highway in accordance with federal guidelines. Toll locations shall be erected at or near the borders of the State and at such other locations that are not impracticable, unfeasible, or that would result in an unsafe or hazardous condition.

(c) Severability. – If any provision of this section or its application is held invalid, the invalidity does not affect other provisions or applications of this section that can be given effect without the invalid provisions or application, and to this end the provisions of this section are severable."



1                   **SECTION 2.** This act is effective when it becomes law and applies to any project  
2 on an existing interstate highway let for construction after that date.